## **DOCKET FILE COPY ORIGINAL**NOWALSKY, BRONSTON & GOTHARD

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October 10, 2003

Via Overnight Mail

Leon L Nowalsky

Edward P. Gothard

Benjamin W. Bronston

Marlene H. Dortch, Secretary Federal Communications Commission Office of the Secretary 9300 East Hampton Drive Capitol Heights, MD 20743

RE: CC Dkt. No. 94-129: Certification of Exemption from "Drop-Off" Requirement

Dear Ms. Dortch:

Network US, Inc. ("Network US"), by its undersigned counsel, hereby certifies that it qualifies for an exemption from the "drop-off" requirement set forth in 47 C.F.R Section 64.1120.

In its recent decision in CC Dkt. 94-129, the Commission established a new mechanism by which carriers' certifying as to their inability to comply with the "drop-off" rule will be exempt from that rule for a two-year period. See Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996; Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers, CC Docket No.94-129, Third Order on Reconsideration and Second Notice of Proposed Rulemaking, 68 Fed. Reg. 19152 & 19176 (rel. March 17, 2003).

Due to technical limitations to the type of service available to Network US's marketing companies through their local exchange carriers, Network US's marketing representative are unable to "drop-off" a call after a three way conference call is initiated. This precludes Network US from complying with the "drop-off" rule. A certification signed by Brian Sledz, President of Network US, is made in support of these statements under Section 1.16 of the Commission's rules is enclosed herewith.

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Questions regarding this certification should be addressed to the undersigned. An additional copy of this letter has been enclosed to be date-stamped and returned in the envelope provided as evidence of the filing.

Sincerely,

Len L. Nowalsky ht

Counsel for Network US, Inc.

cc. Nancy Stevenson, Federal Communications Commission Qualex International

Enclosure

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## **CERTIFICATION**

I, Brian Sledz, certify that I am President of Network US, Inc. ("Network US"); that I am authorized to make this certification for Network US, Inc. I certify that Network US is unable to comply with the "drop-off" requirement as set forth in 47 C.F.R. Section 64.1120. Specifically, due to technical limitations to the type of service available to Network US's marketing companies through their local exchange carriers, Network US's marketing representatives are unable to "drop-off" a call after a three-way conference call is initiated. I hereby certify that to the best of my knowledge and belief, under penalty of perjury, the foregoing statements are true and correct. Executed on October 10, 203.

Brian Sledge Brian Sledz

President, Network US.